

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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APPLIED BOLTING TECHNOLOGY PRODUCTS, :  
LLC, :  
Plaintiff, : 22-CV-10506 (JMF)  
: ORDER  
-v- :  
: TURNASURE LLC, :  
: Defendant. :  
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JESSE M. FURMAN, United States District Judge:

On February 16, 2023, Plaintiff filed both a motion to dismiss Defendant's counterclaims and a motion to strike Defendant's affirmative defenses, under Rules 12(b) and (f) of the Federal Rules of Civil Procedure, respectively. *See* ECF No. 38. Under Rule 15(a)(1)(B), a party has twenty-one (21) days after the service of a motion under Rules 12(b) and (f) to amend its pleading once as a matter of course.

Accordingly, it is hereby ORDERED that Defendant shall file any amended answer by **March 9, 2023**. Pursuant to Paragraph 1.B of the Court's Individual Rules and Practices in Civil Cases, available at <https://nysd.uscourts.gov/hon-jesse-m-furman>, any amended answer should be filed with a redline showing all differences between the original and revised filing. Defendant will not be given any further opportunity to amend to address issues raised by the motions to dismiss and to strike.

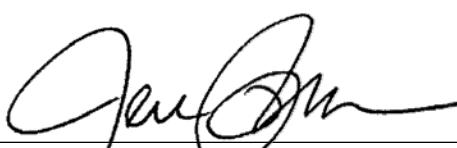
If Defendant does amend, by three (3) weeks after the amended answer is filed, Plaintiff shall: (1) file an answer to any counterclaims; (2) file a new motion to dismiss and/or strike; or (3) file a letter on ECF stating that it relies on its previously filed motions. If Plaintiff files an answer or a new motion to dismiss and/or strike, the Court will deny the previously filed motions as moot. If Plaintiff files a new motion to dismiss and/or strike, any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition.

If no amended answer is filed, Defendant shall file any opposition to Plaintiff's motions by **March 9, 2023**. Plaintiff's reply, if any, shall be filed by **March 16, 2023**.

The Clerk of Court is directed to terminate ECF No. 36 as duplicative.

SO ORDERED.

Dated: February 17, 2023  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge